

Nearing Makes Socialist Talk To Trial Jury

Man Who Is Charged With Violating Espionage Act Expounds His Theories

Sees More War Coming

Prosecutor Barnes, in Reply, Says Accused Will Do Same Things Over Again

Dr. Scott Nearing, who is on trial before Judge Julius M. Mayer, in the United States District Court, on a charge of violating the espionage act, in a speech to the jury in his own defense, advocated the philosophy of "each for all, and all for each" yesterday.

He was explaining the social theories expressed by him in "The Great Madness," which caused his indictment.

Yesterday marked the last stage in this case, which has taken about a week and a half to try. The defense and the prosecution took the whole day to sum up, and Judge Mayer will charge the jury to-day.

Claims Right To Be Wrong

"I am charged," he said in this relation, "with writing a book and sending it to a publisher, and I am indicted for my opinions on public matters. Democracy means that the public has the right to talk a question over, consider it and then register its opinion. The moment you check discussion you destroy democracy. I have the right to be right, as well as I have the right to be wrong."

He then went on to discuss the social condition of the world, and said that 24,000,000 children in this country are in dire need of food, while a few possess fabulous wealth, with plenty of food, is the severest indictment of the capitalist system.

Admits He's a Socialist

"The District Attorney was at great pains," he said, "to prove to you that I am a Socialist. I am a Socialist. I am an internationalist. I am of the belief that all men are created equal. I believe ultimately the whole world will be federated together."

"The thing that stands in the way of an international brotherhood is a small fragment of capitalists. The peoples of the world have nothing against one another. One believes we will never solve international difficulties until we have taken out of the hands of a few individuals that economic power which enables them to cause trouble."

Discussing the peril which he said confronts America, Dr. Nearing declared: "I believe this country is in danger in direction of the one hand, a militarism and imperialism ahead of us, for this is not the last war; there will be a war between this nation and the nation which becomes more and more powerful."

Seigneur Steadman, Nearing's attorney, denied that Nearing had obstructed the recruiting system or had tried to cause subordination of the army, and the government had failed to produce one instance of such an act.

Mr. Barnes for Government

Earl R. Barnes, assistant United States Attorney, spoke for the government.

"The Great Madness," Mr. Barnes said, "openly and frankly says this war was fought about the interests of the big financiers and plutocrats. This pamphlet pictures this particular war as the product of the deliberate machinations of the capitalists, who have no regard for their fellow men."

Reviewing Dr. Nearing's activities in opposition to war, Mr. Barnes said: "He didn't want us to go to war, for we didn't want it to go in when we were ready, and he wanted to get out when we were in."

In fact, said Mr. Barnes, he opposed all support to the war in the way of subscribing for Liberty Loan and War Savings Stamps.

"If men like Nearing," he said, "had been in the United States, fighting Germany as in opposing the government, the war would have been over six months before it was."

Mr. Barnes then read, over the objection of Mr. Steadman, a speech delivered by Otto H. Kahn before the American Bankers' Association in December, in which Mr. Kahn derides twenty-year-old reformers "who show that the 'plutocrats' know what is going on among the working people and that they are just as anxious to better conditions as the 'friends of the people' and 'college professors'."

Concluding, Mr. Barnes told the jury that in case of another war men like Nearing would be prepared to do the same thing all over again if they were not halted. The fact that the war was over, he said, should not enter their deliberations, except that it would aid them to view the case dispassionately.

Hearings in Main St.

JULIUS H. COHEN, counsel for the New York, New Jersey Port and Harbor Development Commission, explained his draft of the proposed interstate port from the other day to a conference which, he declared, was "larger than the one settling the world's future at Paris."

Mr. Cohen was then served with a subpoena at 12:30, but the flurry of questions and answers the time slipped by unnoticed. At 12:50 o'clock Mr. Cohen was handed a note, and he arose with an air of relief.

"I have word from downstairs," he said, "that in spite of the hot air in the building the lunch is getting cold. There was a general laugh and a very prompt adjournment."

Man Under Bed Flees With Trousers, Escapes

NEW ROCHELLE, N. Y., Feb. 17.—Long before daylight this morning a man crawled from beneath a bed in which Mr. and Mrs. Albert Weidenbusch were sleeping in their home at 24 Lincoln Street, Mrs. Weidenbusch remarked upon the occurrence and her husband rose and pursued the intruder. At the front door Mr. Weidenbusch paused, however. The burglar had his trousers.

Mr. Weidenbusch still was hunting for his other trousers when Patrolman Mullins dropped in with the missing pair. He had picked them up around the corner. As a \$10 bill still remained in the pocket Mr. Weidenbusch and the patrolman agreed that the burglar had taken them in self-defense.

One Killed, Others Hurt In Wreck at Pittsburgh

PITTSBURGH, Feb. 17.—Becoming derailed just as an eastbound passenger train was passing, the tender of a westbound freight train on the Pennsylvania Railroad sideswiped the passenger coaches near Sturgeon, Penn., this afternoon, killing a Philadelphia woman instantly and injuring a dozen other passengers.

The passenger train, en route from St. Louis for Pittsburgh, was running fast. The tender of the freight train, a second-class passenger coach, was struck by the engine and ripped the sides from four baggage cars and four passenger coaches.

The injured

Mrs. Addie Ebaugh, wife of Dr. M. C. Ebaugh, 1820 Yondell Street, Philadelphia.

O'Leary Calls Drug Expert to His Defence

Dr. Lichenstein Testifies That Statements of Opiate Addicts Are Unreliable

Move Aimed at Victorious

Confessed User of Morphine Is Principal Witness of the Government in Trial

The susceptibility of drug addicts to suggestion, especially if promised the drugs they crave, was described yesterday by Dr. Perry M. Lichenstein, a specialist on drug addiction and mental diseases, at the trial of Jeremiah A. O'Leary and his associates. O'Leary and his co-defendants are on trial before Judge A. N. Hand in the Federal District Court on an indictment which charges conspiracy to obstruct the draft.

The introduction of Dr. Lichenstein by the defense was the opening of an attack on the testimony of Mme. Marie K. de Victoria, the government's chief witness. This self-acclaimed German operative while on the witness stand told of alleged dealings she had with O'Leary in the interest of Germany. While under a grilling cross-examination she declared she was a drug addict and that she had been given morphine before she entered the courtroom.

Affects Intelligent Most

In answer to questions by Colonel Feiler he explained that it had been his experience that the effect of a drug on a highly intelligent person was much more pronounced than on a person of poor mentality. He swore that the cultured addicts were more prone to concealment and therefore a combination of restrained nerves and morphine had a greater effect on their highly organized intelligence.

Arthur O'Leary, who is appearing as counsel for the American Truth Society, then took up the interrogation. He drew from the witness the testimony that drug addicts are susceptible to suggestive influence. Dr. Lichenstein added that a drug addict will commit any crime and admit any statement to obtain the drug.

When Assistant United States Attorney James W. Osborne took up the cross-examination he clashed immediately with Dr. Lichenstein on the reliability of Mme. Victoria.

"In passing on the credibility of a person don't you think it would be better for you to see the person before passing expert opinion?" asked Mr. Osborne.

"I would not consider it necessary in view of the facts in this case," responded the witness.

On re-direct examination Arthur O'Leary brought out the strongest point for the defense in the physician's testimony. The witness said that a strong characteristic of morphine addicts was the plausibility of their statements.

Shipping Board Manager on Stand

The witness called by the defense was John D. Moore, a consulting engineer, who said that he had been State Conservation Commissioner and production manager with the New York State Conservation Board. Mr. Moore, who has been mentioned in the trial, said that he was national secretary of the Friends of Irish Freedom.

When asked to question the witness said that Cardinal Farley and other prominent officials of the Catholic Church were in charge of the affair. The witness then told of the preliminary hearing at the trial, and of the bazaar. He also testified regarding the meeting held by the workers at 715 Lexington Avenue, where, according to the testimony, a witness, Counsel Burr filed an appeal, but the Appellate Division sustained the lower court.

Enright Faces Contempt

Application for an order requiring Police Commissioner Enright to show cause why he should not be adjudged in contempt of court was made yesterday to Justice Edward Laskansky in the Supreme Court in Brooklyn by J. Ward Follette, attorney for acting Captain William A. Jones, known as the "pistol expert" of the Police Department.

Captain Jones applied a year ago for retirement from the force and half pay, on the ground that he was suffering from a form of paralysis. The board of police surgeons recommended the retirement. In spite of this, Commissioner Enright refused to retire him. A second board was made up of Jones by the police surgeons and the retirement again was recommended. Still Commissioner Enright refused to act.

Enright was then before Supreme Court Justice James S. Cropper in Brooklyn, last November, and obtained a writ of mandamus ordering Commissioner Enright to retire Jones. On the order of Mayor Hylan, Commissioner Enright refused to act. He was then before the Appellate Division, which sustained the lower court.

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Wonder What a Trap Drummer in a Theatre Orchestra Thinks About

BELIEVE ME I DO GET SICK OF THIS OVERTURE - THIS IS THE WORST SHOW I EVER SAW. SOME DAY I SHALL BE MUSICAL DIRECTOR

POOR HOUSE TONIGHT - THEY'RE GOING TO SEE A PUNK SHOW BELIEVE ME - WELL TIME FOR THE TRIANGLE MUSIC - I COULD WRITE BETTER MUSIC WITH MY LEFT HAND

I DESERVE A RAISE - IF IT WASN'T FOR ME THIS MUSIC WOULD BE ON THE BUM. EVERYBODY WATCHES ME WORK - IT'S AN AWFUL POOR SHOW

THAT DIRECTOR GIVES ME A PAIN HE GETS ALL THE CREDIT - I BRING THIS PIECE OUT - I'M GOING TO ASK CAMILLE OUT TONIGHT FOR A FEED.

I WONDER IF THERE WILL REALLY BE PROHIBITION - WELL NO BEER NO TRAP-PLAYING - THIS DRUM IS A QUARTER TONE OFF

EVERYBODY IS WATCHING ME - I'VE GOT THE WHOLE SHOW ON MY SHOULDERS AT THAT. CATLETT IS A FAIR ACTOR BUT I BRING HIM OUT

IF CAMILLE GIVES ME THE EYE TONIGHT I'LL GIVE HER THE HIGH-SIGN - I WISH THIS SHOW WAS THROUGH - EVERY NIGHT THE SAME THING -

I'M THE WHOLE SHOW AFTER ALL

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State Welcome Committee Plan Now Assured

Legislators to Take Matter Up With Governor Smith and Complete the Details

ALBANY, Feb. 17.—The state committee to welcome returning soldiers to supplant the Hearst-Hylan committee will in all probability be created this week. It will be enlarged so as to include members of Congress from this state.

Congressmen who do not sympathize with the Hearst-Hylan committee and who believe that no disloyalist should be on any committee to welcome home American heroes, have telegraphed Thaddeus C. Sweet, Speaker of the Assembly, asking that they be included in the welcoming committee.

There will be a conference to-morrow between the Governor and the legislative leaders to work out the plans for the proposed committee.

Speaker Sweet said to-night that he and others would call on Governor Smith, who will head the committee, and discuss the question of the appropriation.

"I believe," said Speaker Sweet, "that it will take about \$15,000 to finance the committee. I see no reason why it should not be done, for our boys are from all parts of the state, and it is only proper and fitting that the state should welcome its returning heroes."

Speaker Sweet would not make public the names of the Congressmen who have been put on the welcoming committee, which is intended to supplant the Hearst-Hylan committee. He issued, however, a copy of one of the telegrams from the members of the New York Congressional delegation, which reads:

"I have been talking with a number of the members of Congress, and they have suggested that I ask that the United States Senators from New York and the members of the House of Representatives be added to the proposed committee to welcome home the New York State troops. Most of us will be in New York at that time, and it seems appropriate that we have a place on the committee."

Hearst agents have been doing their best to prevent the Legislature from creating a committee of welcome.

Seven More Members Resign From Brooklyn Victory Committee

The Brooklyn Victory Celebration Committee announced yesterday that it would call a meeting soon to discuss plans for a borough celebration for the home-coming troops of the 27th and 77th Divisions. Some immediate action is believed necessary to rouse the public from the apathy of the past few weeks, following the surrender of the committee to the Hearst-Hylan political element.

Representative John J. Delaney, chairman of the Victory Committee, was in Manhattan yesterday with Borough President Keegan, taking part in the welcome to the Fifteenth Regiment, and the appointment of the new executive committee was not announced. The proposed celebration would be the first one of its kind held by the committee since its most influential members left because of Hearst's action.

How to Save Our Aviation in Next Sunday's Tribune

The present aviation situation in Washington is nothing less than chaotic, declares Theodore M. Knappen in a startling article in next Sunday's Tribune Magazine. Mr. Knappen shows how the military aerial organization is breaking up and points out what can be done at this time by the government to get ready for peace-time aviation on a big American basis.

3 Safe Crackings, Two Hold-Ups and Attempted Robbery

This Covers List of Crimes Yesterday in Greater City So Far as Are Reported to Police; Several Arrests

Two holdups, three safe-crackings and one attempted robbery were reported yesterday. Most of the crimes were committed in Manhattan.

Arrests were made in several of these cases, and new clues were discovered by the Brooklyn authorities that may lead to the conviction of the perpetrators of the holdup in that borough on Friday last, when a paymaster and two assistants of the Emergency Fleet Corporation were robbed of \$12,000.

Deputy Police Commissioner John A. Leach, charged with the policing of Brooklyn and Queens, commenting on the situation, said there was no real crime wave in that borough and that efforts in apprehending the criminals who had lately been active there were proceeding satisfactorily.

He announced that a class of one hundred graduates from the police school had been assigned to duty in the borough and that another class of seventy was expected to be graduated within a few days. Most of these, too, will go to Brooklyn.

Wants Fighting Men Back

As another effort to enlarge his force, he said he had sent a request to army and navy officials to release former policemen now in the service as soon as possible, so that the department could be brought back to its peace-time strength.

Neil Sheffalt, the chief paymaster of the Emergency Fleet Corporation, was arraigned before Magistrate Brown yesterday on a charge of robbery. His counsel asked for an adjournment, and the hearing was set for to-morrow. No bail was fixed.

A revolver found in the taxicab in which Sheffalt was riding when the hold-up occurred was identified as resembling one which Sheffalt possessed two weeks ago. The identification, according to the police, was made by Herman Lefkowitz and Harold Graham, the two assistants who were with him at the time of the robbery.

Sheffalt, when questioned by Captain John Coughlin, declared he was unarmed. The revolver was found in the taxicab after it had been abandoned on the Avenue and Sackett Street, Brooklyn.

Hat from Savannah

In the taxi was also found a hat with the name of a Savannah, Ga., merchant in it. Sheffalt, the police say, was known to have been in that territory.

The shifting of the scene of operations to Manhattan came with the report of two safe-crackings in Harlem. The most important was in the office of the Standard Oil Company, at 514 East 120th Street, where the thieves got \$2,000 in currency. On suspicion of being implicated in the affair, Timothy Hogan, fifty-two years old, of 512 East Eighty-third Street, was arrested and taken to headquarters.

A safe in Liggett's drug store, at 34th Street and Eighth Avenue, was found ripped open by I. Levin, the manager, yesterday morning. About \$1,000, he said, had been stolen.

Robert Owen, a cook on the revenue cutter Chester, now at Newport News, was arrested by four men as he was leaving a restaurant in Canal Street, near the Bowery, and was robbed of \$110. Policeman Hayden chased the miscreants in an automobile and arrested a man who said he was Charles E. Weber, of 90 Bowery. Three others were later taken into custody, all of whom denied any knowledge of the affair.

In Central Park West

As Mrs. Julia O'Neil, of 478 Central Park West, was on her way home at 10:30 P. M. yesterday morning four men seized her pocketbook, which she said contained about \$50, some jewelry and keys. Her screams caused the arrest of the four men.

West Side Court Fred Big, of 35 West 116th Street, and John Lavelle, of 307 West 116th Street, pleaded guilty and were held under \$1,500 bonds.

Burglars broke into the office of the Brooklyn Milk Company, at 150 Fifth Avenue, Brooklyn. No money having been left by the proprietors in the place, the thieves contented themselves with destroying several cases of eggs, some cheeses and six bottles of milk.

School Heads Admit Radical Trend in Pupils

Dr. Tildesley Declares Essays Show Marked Influence of Bolshevik Propaganda

Board to Check Spread

Rand Scholar Writes Treatise on "Marxian Philosophy"; Teacher on Trial

Steps were taken by officials of the Board of Education yesterday to check the spread of Bolshevik and Socialist propaganda among high school pupils.

Dr. John L. Tildesley, associate superintendent in charge of high schools, declared he already had discovered that many pupils were daily writing into their English compositions remarks sympathetic to the Bolshevik cause in Russia and antagonistic to American institutions. One boy, seventeen years old, had written an extensive treatise on the "Marxian philosophy," which clearly showed the influence of Socialist propaganda coming from the Rand School, 7 East Fifteenth Street, he said.

"These boys have developed knowledge along these lines, which is astounding," said Dr. Tildesley. "They read radical books, speeches of La Follette and pamphlets until they are said to be well versed in these subjects. I am convinced that the best way to overcome their present tendencies is to introduce into the schools a study of economics which will prove to them the error of what they now read. Just what will be done to check the spread of radicalism will not be decided until we have made further investigation."

Gilbert Raynor, principal of the Commercial High School, yesterday confirmed the statements made by Dr. Campbell, a teacher of English in the school. Dr. Campbell, in an address in Manhattan Sunday, asserted that radical literature was finding its way into the school.

"Not long ago, Mr. Raynor said, some pupils came to him in their history class they were laughing at principles which they considered American. As a result of that complaint, a teacher was suspended and is now awaiting trial before the Board of Education."

"Two boys came to me some time ago and said they were being taught in a 'proper' way," said Mr. Raynor. "I told them to get together with the boys of their class and then tell me their story. This they did. Their story was that their teacher had said that Bolshevism was not a religion, but a philosophy. He was responsible for a lot of lies about Bolshevism, that, as their teacher, he would like to tell them the truth but he was not permitted to."

"This is the kind of teaching," said Mr. Raynor, "that is causing me to suspend his trial. I understand he has since gone to the Rand School as a teacher, which may explain some of the lies."

"A number of other teachers have reported they have found radical tendencies among their pupils. It is the literature which falls into their hands. One teacher at a commercial school, Our 3,200 pupils come from all parts of the city, many of them from so-called radical districts. But generally our pupils are loyal. It is not right to say the school is a nest of radicalism."

Firemen in Danger at Blaze

Explosion and Sulphur Fumes Nearly Cause Fatalities